

October 7, 2016

**VIA ECFS**

***EX PARTE NOTICE***

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: *Business Data Services in an Internet Protocol Environment*, WC Docket No. 16-143; *Special Access Rates for Price Cap Local Exchange Carriers*, WC Docket No. 05-25 and RM-10593**

Dear Ms. Dortch,

On October 5, 2016, Chip Pickering, CEO of INCOMPAS, met with Chairman Wheeler, Stephanie Weiner, Howard Symons, and Matthew DelNero concerning the above-captioned proceedings. Mr. Pickering discussed how the industry-wide BDS reform proposal submitted by INCOMPAS and Verizon provides the best path forward for the Commission to reform the broken BDS marketplace. Indeed, there is overwhelming support for that compromise, uniting both incumbents and competitors and wired and wireless providers and public interest and consumer organizations.

As a wide range of interested parties have recognized, it is critically important that the Commission adopt meaningful reforms that ensure a significant reduction in the excessive rates for both TDM and packet-based (Ethernet) services, including high bandwidth services. Mr. Pickering discussed the overwhelming evidence in the record that incumbents are exercising market power for both TDM and Ethernet services. Commission action is not only justified,

but absolutely necessary to achieve the pro-competition public policy goals the Chairman has embraced.

Respectfully submitted,

*/s/Angie Kronenberg*

Angie Kronenberg  
Chief Advocate & General Counsel

cc: Chairman Wheeler  
Stephanie Weiner  
Howard Symons  
Matthew DelNero